

DT09 Rec'd PCT/PTO 28 JUN 2004

O. (If known) SEC 37 C.F.R. 1.460 10/500361		INTERNATIONAL APPLICATION NO. PCT/JP02/13443		ATTORNEY'S DOCKET NUMBER 081356-0219																																																																																																																																				
21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY																																																																																																																																			
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$920.00 No international preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00																																																																																																																																								
ENTER APPROPRIATE BASIC FEE AMOUNT =																																																																																																																																								
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e))																																																																																																																																								
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:10%;">NUMBER FILED</th> <th style="width:10%;">NUMBER EXTRA</th> <th style="width:10%;">RATE</th> <th style="width:10%;"></th> <th style="width:10%;"></th> <th style="width:10%;"></th> </tr> <tr> <td>Total Claims</td> <td>28 - 20 =</td> <td>8</td> <td>x \$ 18.00</td> <td>\$ 144.00</td> <td></td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>10 - 3 =</td> <td>7</td> <td>x \$ 86.00</td> <td>\$ 602.00</td> <td></td> <td></td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$ 290.00</td> <td>\$ 290.00</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 1956.00</td> <td></td> <td></td> </tr> <tr> <td colspan="4"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. </td> <td>+ \$ 0.00</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL =</td> <td>\$ 1956.00</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="vertical-align: top;"> Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). </td> <td colspan="2"></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td>\$ 1956.00</td> <td></td> <td></td> </tr> <tr> <td colspan="4" style="vertical-align: top;"> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property </td> <td colspan="2"></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td>\$ 1996.00</td> <td></td> <td></td> </tr> <tr> <td colspan="4" rowspan="2"></td> <td colspan="2" style="text-align: center;"> Amount to be refunded: </td> </tr> <tr> <td colspan="2" style="text-align: center;"> charged: </td> </tr> <tr> <td colspan="6"> a. <input checked="" type="checkbox"/> Checks in the amount of \$2,126.00 (Filing Fee, Assignment and Petition for Color Drawing Fee) to cover the above fees are enclosed. </td> </tr> <tr> <td colspan="6"> b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$2,126 to cover the above fees. A duplicate copy of this sheet is enclosed. </td> </tr> <tr> <td colspan="6"> c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u>. A duplicate copy of this sheet is enclosed. </td> </tr> <tr> <td colspan="6"> d. <input type="checkbox"/> Fees are to be charge to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. </td> </tr> <tr> <td colspan="6"> NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. </td> </tr> <tr> <td colspan="6" style="vertical-align: top;"> SEND ALL CORRESPONDENCE TO: </td> </tr> <tr> <td colspan="6" style="vertical-align: top;"> Foley & Lardner LLP Customer Number: 22428 </td> </tr> <tr> <td colspan="6" style="text-align: right; vertical-align: bottom;"> <div style="display: flex; align-items: center;"> <div> SIGNATURE Stephen A. Bent NAME 29,768 REGISTRATION NUMBER </div> </div> </td> </tr> </table>						CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				Total Claims	28 - 20 =	8	x \$ 18.00	\$ 144.00			Independent Claims	10 - 3 =	7	x \$ 86.00	\$ 602.00			MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$ 290.00	\$ 290.00		TOTAL OF ABOVE CALCULATIONS =				\$ 1956.00			<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+ \$ 0.00			SUBTOTAL =				\$ 1956.00			Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).						TOTAL NATIONAL FEE =				\$ 1956.00			Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property						TOTAL FEES ENCLOSED =				\$ 1996.00							Amount to be refunded:		charged:		a. <input checked="" type="checkbox"/> Checks in the amount of \$2,126.00 (Filing Fee, Assignment and Petition for Color Drawing Fee) to cover the above fees are enclosed.						b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$2,126 to cover the above fees. A duplicate copy of this sheet is enclosed.						c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed.						d. <input type="checkbox"/> Fees are to be charge to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						SEND ALL CORRESPONDENCE TO:						Foley & Lardner LLP Customer Number: 22428						<div style="display: flex; align-items: center;"> <div> SIGNATURE Stephen A. Bent NAME 29,768 REGISTRATION NUMBER </div> </div>					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																																																																																																																					
Total Claims	28 - 20 =	8	x \$ 18.00	\$ 144.00																																																																																																																																				
Independent Claims	10 - 3 =	7	x \$ 86.00	\$ 602.00																																																																																																																																				
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$ 290.00	\$ 290.00																																																																																																																																			
TOTAL OF ABOVE CALCULATIONS =				\$ 1956.00																																																																																																																																				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+ \$ 0.00																																																																																																																																				
SUBTOTAL =				\$ 1956.00																																																																																																																																				
Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).																																																																																																																																								
TOTAL NATIONAL FEE =				\$ 1956.00																																																																																																																																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). 40.00 per property																																																																																																																																								
TOTAL FEES ENCLOSED =				\$ 1996.00																																																																																																																																				
				Amount to be refunded:																																																																																																																																				
				charged:																																																																																																																																				
a. <input checked="" type="checkbox"/> Checks in the amount of \$2,126.00 (Filing Fee, Assignment and Petition for Color Drawing Fee) to cover the above fees are enclosed.																																																																																																																																								
b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$2,126 to cover the above fees. A duplicate copy of this sheet is enclosed.																																																																																																																																								
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed.																																																																																																																																								
d. <input type="checkbox"/> Fees are to be charge to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																																																																																																																																								
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																																																																																																																																								
SEND ALL CORRESPONDENCE TO:																																																																																																																																								
Foley & Lardner LLP Customer Number: 22428																																																																																																																																								
<div style="display: flex; align-items: center;"> <div> SIGNATURE Stephen A. Bent NAME 29,768 REGISTRATION NUMBER </div> </div>																																																																																																																																								

DT02 Rec'd PCT/PTO 28 JUN 2004

FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 5-93)		ATTORNEY'S DOCKET NUMBER 081356-0219
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) Unassigned 10/500361
INTERNATIONAL APPLICATION NO. PCT/JP02/13443	INTERNATIONAL FILING DATE 12/24/2002	PRIORITY DATE CLAIMED 12/26/2001
TITLE OF INVENTION GENE AND PEPTIDE FOR TRANSCRIPTIONAL REPRESSOR		
APPLICANT(S) FOR DO/EO/US Masaru TAKAGI & Keiichirou HIRATSU		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> <input checked="" type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Petition to Accept Color Photographs; Transmittal of Formal Drawings, Statement to Support Filing and Submission 		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Masaru TAKAGI et al.
Title: GENE AND PEPTIDE FOR
TRANSCRIPTIONAL
REPRESSOR
Appl. No.: Unassigned
Int'l Appln. PCT/JP02/13443
No.
Int'l Filing 12/24/02
Date

TRANSMITTAL OF FORMAL DRAWINGS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: DRAWING REVIEW BRANCH

Sir:

Transmitted herewith are the formal drawings (30 sheets, Figures 1, 2, 3, 4A, 4B, 5, 6, 7, 8, 9A, 9B, 10A, 10B, 11, 12, 13, 14, 15, 16, 17, 18A, 18B, 19A, and 19B) for the above-identified application. The Official Draftsperson is respectfully requested to approve these drawings for entry into the application. A petition for Acceptance of Color Photographs is being filed concurrently.

Respectfully submitted,

Date 28 June 2004

By S. A. Bent

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Masaru TAKAGI et al.
Title: GENE AND PEPTIDE FOR
TRANSCRIPTIONAL
REPRESSOR
Appl. No.: Unassigned
Int'l Appln. No. PCT/JP02/13443
Int'l Filing Date 12/24/02

PETITION TO ACCEPT COLOR PHOTOGRAPHS UNDER 37 CFR 1.84

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR 1.84(a)(2), Applicants petition for the acceptance of Figs. 11, 16, 17, 18A, 18B, 19A and 19B (color photographs) to be entered in the above-captioned application.

In support thereof, Applicants submit:

- I) A fee in the amount of \$130.00 as is set forth under 37 CFR 1.17(h);
- II) Three (3) sets of Figs. 11, 16, 17, 18 and 19 (in color);
- III) A black and white photocopy that accurately depicts, to the extent possible, the subject matter illustrated in the color drawing; and
- IV) An amendment to the specification indicating that the application contains color photos.

07/07/2004 SNAJARRO 00000072 10500361

06 FC:1460

130.00 OP

REMARKS

The attached color photograph, Fig. 11, is a photograph showing the effects of the SUP gene and the ERF3 gene in repressing functions of EIN3 to activate transcription, which are investigated based on the growth level of the stem and root of a plant in the presence of an ethylene.

The attached color photograph, Fig. 16, is a photograph showing the conditions of the stems and roots of *Arabidopsis thaliana* transformed with pEIN3SRD1 (35S::EIN3SRD1) and *Arabidopsis thaliana* transformed with EIN3RD1 (35S::EIN3RD1) observed in the presence of ethylene.

The attached color photograph, Fig. 17, is a photograph showing the growth level of *Arabidopsis thaliana* transformed with pEIN3SRD1 (35S::EIN3SRD1) and *Arabidopsis thaliana* transformed with EIN3RD1 (35S::EIN3RD1) observed in the presence of ethylene.

The attached color, Fig. 18A is a photograph of showing the seedlings of *Arabidopsis thaliana* transformed with p35S::PAP1SRDX and wild-type *Arabidopsis thaliana* that were grown on 3% sucrose-containing MS medium.

The attached color photograph, Fig. 18B, is an electrophoretogram showing the expression profile of DRF gene in the aforementioned plant by RT-PCR.

The attached color photograph, Fig. 19A, is a photograph showing leaves of *Arabidopsis thaliana* transformed with p35S::AtMYB23SRDX and wild-type *Arabidopsis thaliana*.

The attached color photograph, Fig. 19B, is an electrophoretogram showing the expression profile of the gene involved in the trichome development in the aforementioned plant by RT-PCR.

Respectfully submitted,

Date 28 June 2004

By Stephen A. Bent

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5404
Facsimile: (202) 672-5399

Stephen A. Bent
Attorney for Applicant
Registration No. 29,768